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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Rizoiu et al.

Application No. 09/848,010 ✓

Filing Date: May 2, 2001

For: DERMATOLOGICAL CUTTING AND
ABLATING DEVICE

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I hereby certify that this correspondence is being deposited with the United States Postal Service, First Class mail, postage prepaid, in an envelope addressed to Mail Stop Petitions, Commissioner for Patents, Alexandria, VA 22313-1450, on October 25, 2004.
STOUT, UXA, BUYAN & MULLINS, LLP

Kenton R. Mullins, Reg. No. 36,331

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT
UNDER 37 C.F.R. 1.181(a)**

Dear Sir:

Applicants hereby petition under 37 C.F.R. 1.181(a) to Withdraw Holding of Abandonment of the above-identified patent application on grounds that a Request for Continued Examination was timely filed in the USPTO.

This petition is based on the below statement. After researching our file we have found the following to be fact:

A timely response to the Office Action mailed November 25, 2003 was filed on March 25, 2004 by way of a Request for Continued Examination, this is attached as Appendix A. We subsequently received back from the USPTO an Auto-Reply Facsimile Transmission which we attach as Appendix B.

Applicants hereby submits a Petition to Withdraw Holding of Abandonment accordingly.

I hereby declare that all statements made herein are true and all statements made on information and belief are believed to be true and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or document or any registration resulting therefrom.

The Commissioner is hereby authorized to charge any fees deemed to be due in connection with this petition, to Deposit Account No. 50-1600.

Respectfully submitted,



Kenton R. Mullins
Attorney for Applicants
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Date: October 25, 2004
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